

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nai-Kong V. CHEUNG
U.S. Serial No. : 10/565,484
Confirmation No.: 2140
Filed : January 17, 2006
Examiner : 1623
Art Unit : Eric Olson
For : THERAPY-ENHANCING GLUCAN

Law Offices of Albert Wai-Kit Chan, PLLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357

October 10, 2008

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE)

A Final Office Action was issued on August 11, 2008 by the United States Patent and Trademark Office (USPTO) in connection with the above-identified application. A shortened statutory period for reply was set to expire three months from the mailing date of this Office Action, namely, November 11, 2008. Accordingly, this request is being timely filed.

The fee for the RCE is FOUR HUNDRED AND FIVE DOLLARS (\$405.00) for a small entity. Applicant hereby authorizes the charge to Deposit Account No. 50-1891. A copy of the Request for Continued

Applicant : Nai-Kong V. CHEUNG
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Atty. Dkt. No. : 639-C-PCT-US
Art Unit : 1623
Date of RCE : October 10, 2008

Examination Transmittal is attached herein as **Exhibit A** (1 page, in duplicate).

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the FOUR HUNDRED AND FIVE DOLLAR (\$405.00) fee for the Request for Continued Examination is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan/LW

Albert Wai-Kit Chan
Registration No. 36,479
Attorney for Applicant
Law Offices of
Albert Wai-Kit Chan, PLLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, New York 11357
Tel: (718) 799-1000
Fax: (718) 357-8615
E-mail: chank@kitchanlaw.com

EXHIBIT A

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/565,484
Filing Date	January 17, 2006
First Named Inventor	Nai-Kong V. CHEUNG
Art Unit	1623
Examiner Name	Eric Olson
Attorney Docket Number	639-C-PCT-US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **[Submission required under 37 CFR 1.114]** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. ☐ Other _____

- b. ☒ Enclosed

- i. ☒ Amendment/Reply
ii. ☐ Affidavit(s)/Declaration(s)
iii. ☒ Information Disclosure Statement (IDS)
iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-1891. I have enclosed a duplicate copy of this sheet.

- a. ☒ RCE fee required under 37 CFR 1.17(e)
i. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
ii. ☐ Other _____
b. ☐ Check in the amount of \$ _____ enclosed
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Albert Wai-Kit Chan</i>	Date	October 10, 2008
Name (Print/Type)	Albert Wai-Kit Chan	Registration No.	36,479

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	
Name (Print/Type)			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or additional suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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 - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
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- Miscellaneous**
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Signature	<i>Albert Wai-Kit Chan</i>	Date	October 10, 2008
Name (Print/Type)	Albert Wai-Kit Chan	Registration No.	36,479

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